

## RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	PDSD Assigned RID #
Customer RID	<input checked="" type="checkbox"/>	24 hours	<input checked="" type="checkbox"/> 92
Internal Staff RID	<input type="checkbox"/>	10 working days	<input type="checkbox"/>
		As time available	<input type="checkbox"/>

**1. Project Name:** Applicability of building creation (existing or proposed) within five (5) feet of the rear lot line when adjacent to a 900 series "no-build" lot within an Infill Development Zone (IDZ).

**2. Project Number:** Newell and Avenue A  
(Plat #, Zoning Case #, etc.)

**3. Project Street Address:** Avenue A and Newell  
(If not available nearest intersection of two public streets)

**4. Applicant Name:** Pape-Dawson, Engineers, Attn: Tom Carter, P.E.

**5. Applicant Address:** 555 E. Ramsey, San Antonio, TX 78216

**6. Applicant Telephone:** (210) 375-9000

**7. Applicant e-mail Address:** #: tcarter@pape-dawson.com

**8. Rule in Question:** 35-343(c) Lot and Building Setback  
(Section and/or policy of UDC, Sign Code, etc)

**9. Applicant's Position:**  
(Including date position presented and name of city staff point of contact)

**Date:** 12/2/2010      **Contact:** Tom Carter      **Contact Telephone #:** 375-9000

Applicant believes that there should not be a 5 foot rear setback required when a 900 series "no-build lot" over 5 feet in width is adjacent to the subject property.

**10. Staff Finding:**  
(Including date of finding and name of city staff person formulating finding)

**Date:** 12/6/2010      **Contact:** Andrew Spurgin      **Contact Telephone #:** 207-8229

Staff finds that UDC provides for 900 series lot numbers to designate unbuildable areas such as open spaces, stormwater facilities, driveways and access easements.

Staff finds that the UDC typically requires a rear setback for residential zoning districts however Table 310-1, note (2) provides exceptions including where there is a public right of way to the rear of the residential district.

Staff finds a provision unique to the IDZ district, 35-343 (c), as shown:

*On blocks with single-family, duplex, triplex, and quadplex detached residential units, the front setback shall be within ten (10) percent of the median setback of existing buildings on the block face. No new or existing building shall be erected, constructed or expanded to extend within the public right-of-way or within five (5) feet of the rear lot line. If there is a public street right-of-way, the front facade shall front the street.*

Staff recognizes that this provision was meant to apply to infill development on individual lots within established areas and would typically be implemented on sites that are already platted or that would be platted through the minor plat process.

#### **11. Staff Position:**

(Including date position presented internally and name of city staff person formulating position)

**Date:** 12/6/2010

**Contact:** Andrew Spurgin

**Contact Telephone #:** 207-8229

IDZ districts may provide a 900 series lot in lieu of the rear setback requirement, provided that the 900 series lot width is at least equivalent to the distance of the typically required rear setback. This is consistent with existing provisions of the UDC.

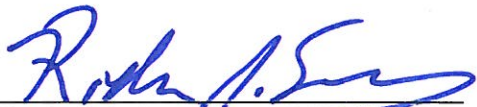
#### **12. Departmental Policy or Action:**

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director)

**Date of policy/action:** 12/6/2010

**Effective Date of policy/action:** immediate

IDZ districts may provide a 900 series lot in lieu of the rear setback requirement, provided that the 900 series lot width is at least equivalent to the distance of the typically required rear setback.



Roderick Sanchez, AICP, C.B.O  
Director

12-9-10  
Date